

107TH CONGRESS
1ST SESSION

H. R. 401

To amend the Higher Education Act of 1965 to require institutions of higher education to notify parents concerning missing person reports about their children, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 6, 2001

Mr. ANDREWS introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the Higher Education Act of 1965 to require institutions of higher education to notify parents concerning missing person reports about their children, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as “Bryan’s Law”.

5 **SEC. 2. NOTIFICATION.**

6 Section 485(f) of the Higher Education Act of 1965
7 (20 U.S.C. 1092(f)) is amended—

1 (1) by redesignating paragraph (15) as para-
2 graph (16); and

3 (2) by inserting after paragraph (14) the fol-
4 lowing:

5 “(15) NOTIFICATION.—(A) Each institution
6 participating in any program under this title, after
7 the campus police or security authority for the insti-
8 tution receives a report that a resident student
9 younger than 21 years of age is missing, shall—

10 “(i) make a preliminary investigation to
11 determine the whereabouts of the student; and

12 “(ii) subject to subparagraph (B) and if
13 the authority is unable to verify that the stu-
14 dent is safe within 24 hours of receiving the
15 report—

16 “(I) notify the student’s parents, or if
17 appropriate, any other individual listed as
18 an emergency contact person for the stu-
19 dent in records maintained by the institu-
20 tion, and the local police agency that the
21 student is missing; and

22 “(II) cooperate with the local police
23 agency regarding the investigation of the
24 missing student such as entering into a
25 written agreement with the local police

1 agency that establishes the authority’s and
2 agency’s responsibilities with respect to an
3 investigation.

4 “(B) The 24 hour period described in subpara-
5 graph (A)(ii) excludes Saturdays, Sundays, and holi-
6 day periods at the institution, except that once no-
7 tice is provided under subparagraph (A)(ii)(I) such
8 period shall apply regardless of the day involved.

9 “(C) In this paragraph, the term ‘resident stu-
10 dent’ means a student who lives in a residence that
11 is owned and operated by the institution or is other-
12 wise included within the definition of ‘campus’ as
13 such term is defined in paragraph (5)(A)(i) of this
14 subsection.

15 “(D) The Secretary may waive the provisions of
16 this paragraph upon the request of a State that has
17 enacted a law with requirements that are similar to
18 the requirements of this paragraph.

19 “(E) Nothing in this paragraph may be con-
20 strued to—

21 “(i) create a cause of action against any
22 institution of higher education or any employee
23 of such an institution for any civil liability; or

24 “(ii) establish any standard of care.

1 “(F) Notwithstanding any other provision of
2 law, evidence regarding compliance or noncompliance
3 with this paragraph shall not be admissible as evi-
4 dence in any proceeding of any court, agency, board,
5 or other entity, except with respect to an action to
6 enforce this paragraph.

7 “(G) Section 444 of the General Education
8 Provisions Act (20 U.S.C. 1232g) shall not be con-
9 strued to prevent an institution from complying with
10 this paragraph.”.

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